

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi-110001

No.56/2009/PPS-II

Dated : 14th January, 2009

To

The President/General Secretary
Of all recognized National and State Parties.

**Sub: Conditions for treating a candidate as one set up by political party-
Requirements to be followed- regarding.**

Sir/Madam,

Paragraph 13 of the Election Symbols (Reservation & Allotment) Order, 1968, prescribes the conditions to be followed for treating a candidate as a candidate set up by a political party.

The requirements to be fulfilled in this regard are explained below for clarity of understanding:

- The candidate concerned should declare in the relevant part of the nomination paper that he has been set up by the said political party. In cases where a party nominates the main candidate and the substitute candidate, there is a provision that if the nomination paper of the main candidate is rejected, then the substitute candidate can be treated as the party's candidate. In such cases also, the substitute candidate should have made a declaration in his nomination paper (at least in one set of nomination papers if such candidate has filed more than one set) that he/she has been set up by the said political party.
- Notices in Form-A and Form-B, signed in original, are required to be submitted to the Returning Officers of the constituencies where the party is setting up its candidates **by 3.00P.M. on the last date of filing nominations.** Separate Forms A & B are to be filed in respect of each constituency before the RO concerned.
- The Forms A & B should be duly filled up in all respects.
- **Photo-copies/forms with facsimile signatures or forms transmitted by FAX/email are not acceptable.**

- Form A in which the party authorizes office-bearer(s) to sign notices in Form B **should be from the Central Office of the party.**
- Form A should be submitted separately to the Chief Electoral Officer of the State also in addition to submitting to the Returning Officers. If one single office bearer has been nominated on behalf of the party in Form-A, for the entire State, it is enough to submit one duly signed Form A to the Chief Electoral Officer. However, separate Forms A, all signed in original, should be submitted to individual R.O.s alongwith Form-B. By way of illustration, if a party is setting up candidates in 50 constituencies in a State, 50 Forms A, all duly signed in original, should be submitted to each of the 50 ROs alongwith Forms B for each constituency, duly signed in original, by the authorised office bearer.
- It is the duty of the party/candidate to submit Forms A & B (in original) to the Chief Electoral Officer/Returning Officer. It may be noted that these forms are not required to be sent to the Commission and the Commission will not take any action on such Forms if sent to it by the party/candidate.
- In the event of rescinding of notice in Form-B, submitted in favour of a candidate, the fresh notice in Form-B signed by the same authorized person, and clearly indicating therein that the earlier notice is being rescinded should be submitted **by the prescribed time limit (i.e. by 3.00 P.M. on the last date of filing nominations)** as per the provisions of Para 13A of the Symbols Order. No other form of communication regarding rescinding of notice will be accepted as valid.

These clarifications may be noted and also brought to the notice of the cadres of the party at all levels.

Yours faithfully,

(K.F.WILFRED)
SECRETARY